

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (C) No. 1631 of 2007

Petitioner : Faguram Markam Son of Roop Singh Markam,
aged about 39 years, R/o Village Darigawan,
District Kabirdham, [Vice President Janpad
Panchayat Sahaspur Lohara], District
Kabirdham [C.G.].

Versus

Respondents : 1. The Director, Panchayat and Social Welfare
Department, Chhattisgarh Raipur [C.G.].
2. The Prescribed Officer [Collector],
Kabirdham [C.G.]
3. The State of Chhattisgarh, through Department
of Social Welfare, D.K.S. Bhavan, Raipur [C.G.]
4. The Chief Executive Officer,
Janpad Panchayat Sahaspur Lohara, District
Kabirdham [C.G.].
5. The Chairman/President, Janpad Panchayat
Sahaspur Lohara, District Kabirdham [C.G.].

SB: **Hon'ble Shri Satish K. Agnihotri, J.**

Present: Mr. P.K. Tulsyan, counsel for the petitioner.
Mr. Utkarsh Veram, Govt. Advocate for the respondents/State.

ORDER

(Passed on this 20th day of March, 2007)

1. The petitioner is the elected Vice President of the Janpad Panchayat, Sahaspur Lohara, District Kabirdham. Vide letter dated 26.6.2006, the petitioner has made an application to the Chief Executive Officer, Janpad Panchayat, Sahaspur Lohara praying his resignation from the post of the Vice President of the Janpad Panchayat, Sahaspur Lohara. The same was received on 27.6.2006.
2. The Collector, Kabirdham, exercising his power under Section 37 (1) (B) of the Panchayat Raj Adhiniyam, 1993 accepted the resignation of the petitioner vide order dated 14th July, 2006 (P/2).
3. Thereafter, the petitioner has filed one more letter dated 17.7.2006 (P/3), addressed to the Deputy Director, Panchayat and Social Welfare, District Kabirdham, with drawing his resignation letter dated 26.6.2006.

4. The petitioner has initially made an application tendering his resignation to the Collector and the same was accepted vide order dated 14th July, 2006. The letter of withdrawal of resignation was not addressed either to the Chief Executive Officer or to the Collector, but addressed to the Deputy Director Panchayat and Social Welfare.
5. The petitioner has filed an appeal against the order dated 14th July, 2006, passed by the Collector, Kabirdham before the Director, Panchayat under Section 91 (3) of the Chhattisgarh Panchayat Raj Adhiniyam, 1993. During pendency of the appeal, the petitioner has moved an application for grant of stay before the Director Panchayat, which has been rejected vide order dated 27.2.2007 (P/5).
6. The petitioner has filed this petition under Article 227 of the Constitution of India challenging the validity of the order dated 27.2.2007 (P/5), passed by the Director (Panchayat).
7. On hearing learned counsel appearing for the petitioner and perusing pleadings and documents appended thereto, it is found that there is no impropriety, illegality, irregularity or jurisdictional error asto invoke supervisory jurisdiction of this Court under Article 227 of the Constitution of India.
8. It is well settled that this Court should refrain itself from entertaining a petition in exercise of its supervisory jurisdiction, except in cases where the perversity, illegality or irregularity is writ large on the face of the record. None of the above is the case here in this petition.
9. Thus, this petition is dismissed summarily.

Sd/-
Satish K. Agnihotri
Judge

B/-